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C O N F I D E N T I A L SECTION 01 OF 02 COTONOU 000341

SIPDIS

AF/W FOR DANA BANKS, LONDON FOR PETER LORD

E.O. 12958: DECL: 06/17/2018

TAGS: [PGOV](#) [BN](#)

SUBJECT: YAYI DISCUSSES DISPUTED MUNICIPAL ELECTION RESULTS

REF: A. COTONOU 336

[1](#)B. COTONOU 313

Classified By: Amb. Gayleatha B. Brown for reasons 1.4 (b) and (d)

1.(C) SUMMARY: President Yayi expounded on his view of the ongoing disputes over the results of the April 20, 2008 municipal election results on the margins of a meeting on food security on June 12 (Ref A). President Yayi views the National Independent Electoral Commission (CENA) as biased against his Force Cowry for an Emerging Benin (FCBE) party and plans to wait for the Supreme Court to rule on the disputed elections before taking any action. Yayi's comments come after a violent clash on June 10 between supporters of FCBE and those of Adrien Houngbedji's Party of Democratic Renewal (PRD) in Avrankou (south-eastern Benin) when PRD supporters attempted to inaugurate their mayor without approval from the national government and in the face of FCBE opposition. The GOB suspended, since June 3, the inauguration of municipal councils in 24 communes (out of 77), pending Supreme Court rulings on challenges to the election results released by the CENA for those communes. END SUMMARY.

The Tired Old Guard

2.(C) The Charge and PolOff met with President Yayi on June 12 at his invitation to discuss Benin's food security situation (Ref A). At the end of the meeting Yayi recounted the municipal elections from his point of view and expounded on his common theme that he is with the people against the entrenched and "tired" old guard of Beninese politicians. Yayi began by recounting that in 2006 he won the Presidency after the Beninese people decided the old politicians were "tired" and a new approach was necessary. Yayi told us that in the communes in which the election results are disputed FCBE, his party, won the elections on Election Day but the CENA's final results gave the victory to his opponents. According to Yayi, the CENA's membership, which is jointly determined by the President, the civil society, and the National Assembly, is biased against the FCBE. Note: As previously reported in Ref B a number of FCBE ballots were invalidated by the CENA when it verified the original ballot counts performed in the field. End Note. Yayi continued that his government will wait for the Supreme Court's decisions on the disputed elections before proceeding to inaugurate municipal governments in those areas. Note: Beninese electoral law calls for the installation of candidates based on the CENA's results. Appeals to the Supreme Court are not grounds, under the law, to refuse to install municipal candidates. End Note.

What happened in Avrankou?

3.(U) On June 10, according to press reports, supporters of

PRD, the party that secured the majority of seats on Avrangkou's communal council, failed in their attempt to inaugurate the municipal council after FCBE supporters armed with clubs and machetes intervened to prevent the inauguration. A brawl broke out between the two groups resulting in injuries and property damage. Some news reports indicated that the police did not intervene to stop the incident but the Minister of Decentralization, Local Authority and Planning, Issa Moko argued that the police did its best to end the protest. Issa reiterated that the government suspended inauguration of councilors to avoid such incidents.

4.(U) This incident in Avrangkou is the second protest of its kind. Additionally, two weeks ago in Seme, another PRD stronghold in southeastern Benin, the police tamped down a similar protest using tear gas. As reflected in President Yayi's frustrations noted above, Issa, in public remarks, laid out the root cause of these protests as the differences between the public vote count which immediately followed the elections on April 20 and the final results released by the CENA. According to the embassy's contacts in FCBE, many feel that the CENA changed the results to favor other parties. In general, the protesters demand the Supreme Court handle pending electoral appeals before the installation of the new councilors and mayors.

Comment

5.(C) COMMENT: This is the first extended dispute of

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electoral results in Benin's history. The government's decision to wait for the Supreme Court's determination of the final results before seating new municipal governments will allow this problem to simmer for quite some time. This dispute, and the politicization of the CENA, does not bode well for the presidential elections in 2011. President Yayi's lack of confidence in the CENA could become a larger problem in the run-up to the 2011 presidential elections when he will most probably be a candidate and his government will be responsible for financing the CENA and then respecting its decisions. The creation of a permanent, and trusted, electoral commission as well as a permanent and electronic voters registry before the next election is imperative to build confidence in the electoral process and to ensure trusted and reliable results. END COMMENT.

BROWN